

**Regular Meeting of the Legal Committee
Held in the Conference Room at City Hall
February 3, 2016**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 15-56.

CALL TO ORDER

The meeting convened at 8:09 a.m. with Chairman Perry presiding and Councilor Denny being present. Councilors Henderson and Mackey participated by telephone.

Staff present: Louis Najar, Bill Morris, Scott Stark, Jennifer Brady and William Zarr.

Guests present: Orie Adcock and James Salas.

APPROVAL OF AGENDA

Councilor Denny moved to approve the February 3, 2016 Legal Committee meeting agenda as presented. Councilor Henderson was the second. A voice vote was unanimous and the motion passed with Councilors Henderson and Mackey participating by telephone.

APPROVAL OF MINUTES

Councilor Denny moved to approve the minutes of the December 17, 2015 Legal Committee meeting. Councilor Henderson was the second. A voice vote was unanimous and the motion passed with Councilors Henderson and Mackey participating by telephone.

REGULAR ITEMS

Councilor Perry requested Regular Item #4 be discussed first so that RIAC staff could return to work.

4. To recommend to full City Council that the following agreements pertaining to existing or new RIAC Leases or other RIAC licenses or agreements be placed on the Consent agenda for approval:

- (1) To authorize Kerry Hunter, an individual, to renew his current lease agreement on Building No. 117. Kerry Hunter leases the building for the purpose of vehicle storage and maintenance. The building is 4,736 square feet and new rent amount will be \$457 per month, reflecting a 2.7% increase. The term is from March 1, 2016 through February 28, 2017. Kerry Hunter has been a customer since March 1993. Councilor Denny moved to approve the \$5,484 lease agreement for Building No. 117 subject to terms and conditions. Councilor Mackey was the second. A voice vote was unanimous and the motion passed.
- (2) To authorize Don and Angel Mayes, as individuals, to renew their current lease agreement on "T" Hangar Building No. 120, Space 2. Don and Angel Mayes lease the building for the purpose of aircraft storage and maintenance. The building is 1,002 square feet and the new rent amount is \$173 per month, reflecting a 2.4% increase.

The term is from March 1, 2016 through February 28, 2017. Don and Angel Mayes have been customers since February 2010. Councilor Denny moved to approve the \$2,076 lease agreement for Building No. 120, Space 2 subject to terms and conditions. Councilor Mackey was the second. A voice vote was unanimous and the motion passed.

Mr. Stark presented the information on the two renewing leases.

- (3) AvFlight Roswell Corporation is requesting additional rent abatement of \$16,978.98 to rent abatement of \$69,492.94 on Hangar No. 1532 approved by City Council on October 8, 2015. Mr. Stark explained the abatement request is due to shortcomings that were encountered during the demolition. Plumbing upgrades, faucets, water heater, support girdle, landing, ADA ramp and electrical/lighting professional fees were all part of the funding request. Mr. Salas reiterated the additional items that were needed during the project. Councilor Perry concurred with the add-ons as they were items needed for safety issues and needed to meet ADA requirements. Councilor Denny moved to approve the additional rent rate abatement for \$16,978.98. Councilor Mackey was the second. The phone call with Councilor Henderson was disconnected at 8:17 a.m. Councilor Perry called Councilor Henderson who then joined the meeting via phone at 8:19 a.m. Councilor Perry clarified the motion that had been made previous to the phone disconnection. Councilor Denny moved to approve the additional rent rate abatement for \$16,978.98. Councilor Mackey was the second. A voice vote was unanimous and the motion passed.

3. To consider Proposed Ordinance 16-05, which would amend Chapter 26 of the Roswell City Code by adding new Sections 26-6 through 26-10 that would place certain restrictions on drilling of new domestic wells within the City limits, and to recommend to full City Council to authorize a Public Hearing on said Proposed Ordinance 16-05. City Attorney William Zarr discussed the new proposed ordinance changes regarding managing the cost factor for connecting to City lines, and the changes regarding the expansion of the sections. Councilor Perry appreciated staff meeting with him to try to accommodate the concerns he had. Mr. Morris and Mr. Najar advised the committee they had received support from the PVACD (Pecos Valley Artesian Conservancy District), and that part of their jobs was to protect and to be stewards of the water. Councilor Denny moved to send to full City Council Proposed Ordinance No. 16-05, subject to minor changes to be made by Attorney Zarr. Councilor Henderson was the second. A voice vote was unanimous and the motion passed.

ADJOURN

Meeting adjourned at 8:40 a.m.